

Ashok Kumar Vs. State & Ors.

CWP No. 11764/2026

20.07.2026 Present: Mr. Navneet K. Bhalla and Ms. Chehak Bhalla, Advocates, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. L.N. Sharma and Mr. Y.P.S. Dhaulta, Additional Advocate General, for the respondents.

Notice. Mr. Y.P.S. Dhaulta, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. Evidently, the petitioner had grievance against the special revision exercise undertaken by the respondents under Section 33 of the H.P. Land Revenue Act (the Act, in short). According to the petitioner, while carrying out the aforesaid exercise, the respondents did not adhere to the mandatory provisions of the Act. The petitioner preferred his objection/petition under Section 33(7) of the Act. The said objection/petition was dismissed by the Collector Settlement-cum-Assistant Settlement Officer, Solan, Division Shimla, on 30.06.2025, *inter alia*, on the ground that the same was barred by limitation, as the last date for filing the objection was 06.04.2024, whereas the petitioner had filed the objection on 23.04.2025. The said order was also affirmed by the Divisional Commissioner, Shimla, on 09.12.2025. Learned counsel for the petitioner submits that under Section 33(6) of the Act, when the record of rights are made or specially revised, the same shall be published within the estate in the prescribed manner.

Inviting further attention to Section 23 of the Act that provides as under:

“23. Mode of making proclamation.-

When a proclamation relating to any land is issued by a Revenue Officer it shall, in addition to any other mode of publication which may be prescribed in any provision of this Act, be made by beat of drum or other customary method and by the affixing of a copy thereof on a conspicuous place in or near the land to which it relates or by publication in the daily newspaper having wide circulation in the area or in the Rajpatra (e-Gazette), Himachal Pradesh.”

learned counsel for the petitioner further contends that the respondents had not published the special revision of the record of rights made/prepared by them. That only mode of publication adopted by the respondents was Annexure P-2, viz. an announcement made by the Naib Tehsildar-cum-Settlement Circle Officer, Vashni, on 07.03.2024. That no publication, as envisaged under the law, was made by the respondents. Reliance has also been placed upon Annexure P-12, which is the information supplied to the petitioner under the Right to Information Act in this regard.

3. Let learned Additional Advocate General to have instructions in the matter regarding the mode of publication of the special revision of record of rights, more particularly with reference to Section 33(6) read with Section 23 of the Act.

List on **23.07.2026.**

Jyotsna Rewal Dua
Judge

20th July, 2026 (Rohit)